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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP99/03038  
Jean-Louis Ruelle : I.A. Filing Date: 03 May 1999  
Serial No.: 09/674,779 : Priority Date: 06 May 1998  
For: BASB019 Proteins and Genes :  
from *Moraxella Cataarrhalis* ... :

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE**

Sir:

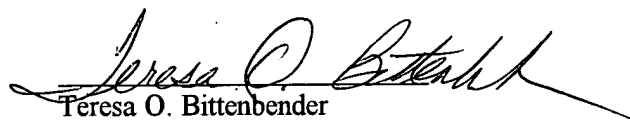
In response to the communication from the Patent Office mailed 30 January 2002, entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office," enclosed is the substitute computer readable form (CRF) of the Sequence Listing, plus the duplicate copy of the Notice to File Missing Requirements of the Application form.

The \$130.00 surcharge for filing the missing requirements of the application should be charged to Deposit Account No. 50-0258.

**STATEMENT**

Applicant hereby states that the enclosed CRF diskette submitted herewith is identical to the paper copy of the "Sequence Listing" contained in the copy of International Publication No. WO 99/57277 which was submitted on November 6, 2000 for filing with the US Patent Office and contains no new matter.

Respectfully submitted,

  
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Docket No. BM45311  
Serial No. 09/674,779

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231.

  
Susan C. Sheehan

2/12/02  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/674,779	Jean-Louis Ruelle	BM45311

25308  
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INTERNATIONAL APPLICATION NO.	
PCT/EP99/03038	
IA. FILING DATE	PRIORITY DATE
05/03/1999	05/06/1998

CONFIRMATION NO. 5330  
371 FORMALITIES LETTER



\*OC000000007382509\*

Date Mailed: 01/30/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Claims
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Drawings
- Initial Application Filing Fees
- Oath or Declaration
- Oath or Declaration
- Original Specification
- Preliminary Amendments

RECEIVED

FEB - 7 2002

S.C.S.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form

are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/674,779	PCT/EP99/03038	BM45311